

By: Burnam

H.R. No. 480

R E S O L U T I O N

1           WHEREAS, The House of Representatives of the Texas  
2 Legislature has exclusive power to present articles of impeachment  
3 against a state officer under Section 1, Article XV, Texas  
4 Constitution, and Chapter 665, Government Code; now, therefore, be  
5 it

6           RESOLVED, That the House of Representatives of the 81st Texas  
7 Legislature adopt the following procedures to consider the  
8 impeachment of Judge Sharon Keller, Presiding Judge of the Texas  
9 Court of Criminal Appeals, for gross neglect of duty and conducting  
10 her official duties with willful disregard for human life:

11           SECTION 1. SPECIAL COMMITTEE ON IMPEACHMENT. The House  
12 Special Committee on Impeachment composed of seven members of the  
13 House of Representatives shall be appointed by the Speaker of the  
14 House. The Speaker shall designate a committee member to serve as  
15 chair of the committee and a committee member to serve as vice-chair  
16 of the committee.

17           SECTION 2. INVESTIGATION; ARTICLES OF IMPEACHMENT. (a)  
18 The committee shall conduct an investigation to consider whether to  
19 recommend that under Section 1, Article XV, Texas Constitution, and  
20 Chapter 665, Government Code, the House of Representatives adopt  
21 and present to the Texas Senate articles of impeachment against  
22 Judge Sharon Keller, Presiding Judge of the Texas Court of Criminal  
23 Appeals, for gross neglect of duty and conducting her official  
24 duties with willful disregard for human life in connection with her

1 actions on the evening of September 25, 2007, including her  
2 apparent irresponsible refusal to abide by the prior practice of  
3 the Texas Court of Criminal Appeals in order to receive the appeal  
4 of Michael Richard, which conduct may have resulted in Mr.  
5 Richard's deprivation of life without due process of law as  
6 guaranteed by the Fifth Amendment to the Constitution of the United  
7 States and Section 19, Article I, Texas Constitution, by means of a  
8 potentially unlawful execution by lethal injection, and in the  
9 embarrassment of the State of Texas in a manner that casts severe  
10 doubt on the impartiality of the Texas Court of Criminal Appeals and  
11 the entire criminal justice system of this state.

12 (b) The committee shall submit a report of its findings to  
13 the Speaker of the House and the full House of Representatives as  
14 soon as reasonably practicable, but not later than the 90th day  
15 after the date the committee is appointed. If the committee  
16 recommends impeachment of the judge, the report shall contain a  
17 draft of articles of impeachment.

18 SECTION 3. POWERS; ADMINISTRATION. (a) The committee  
19 shall meet at the call of the chair and may meet in executive  
20 session if approved by a majority of the members of the committee.

21 (b) The committee has all the powers granted to a standing  
22 committee under the Rules of the House of Representatives and under  
23 Subchapter B, Chapter 301, Government Code, including the power to  
24 issue process to procure testimony or other evidence.

25 (c) On the request of the committee, the House of  
26 Representatives or the Texas Legislative Council shall provide the  
27 staff necessary to assist the committee in carrying out its duties.

1           (d) The operating expenses of the committee shall be paid as  
2 determined by the Committee on House Administration.

3           SECTION 4. EXPIRATION. This resolution expires and the  
4 House Special Committee on Impeachment ceases to exist on January  
5 1, 2010.